

**Town of Fishkill  
Planning Board Agenda  
Jan 13, 2005**

REVISED ON JANUARY 10, 2005

TOWN OF FISHKILL  
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PLANNING BOARD MEETING AGENDA FOR JANUARY 13, 2005

The Planning Board Meeting will be held on Thursday, January 13, 2005 at 7:00 p.m. until 11:00 p.m. in the Town Meeting Room, 807 Route 52, Fishkill, New York. Agenda items that are not reviewed by 11:00 p.m. will be placed on the next scheduled Planning Board Meeting Agenda.

DISCUSSION:

1. Charter One Bank at the Dutchess Mall - Applicant to request approval for the placement of a temporary office trailer to be utilized during the demolition of the Dutchess Mall.
2. Casi Di Pasta - Amended Site Development Plan - Town Planning Board Attorney to review the Resolution of Final Approval.
3. Bumble Bee Builders - Amended Site Development Plan - Board to consider an amendment to the condition on the Resolution of Preliminary and Final Approval regarding Dutchess County Department of Health Approval.

REQUEST FOR EXTENSION:

Oasis Ministries - Special Use Permit - Applicant to request a six (6) month extension of the Resolution of Approval.

NEW SUBMITTALS:

1. Westage Business Center - Lot 5 Hotels - Site Development Plan - Applicant seeks Site Development Plan approval for the development and construction of two (2) hotels as described below:

- 1) A 98-room, four (4) story hotel with 103 parking spaces on Parcel A; and
- 2) A 87 room, four (4) story hotel with 92 parking spaces on Parcel B.

The parcel for this proposal is located at 500 Westage Business Center Drive, in the PSC

(Planned Shopping Center) Zoning District and consists of 6.3 acres. Refer application to the Town Director of Municipal Development, Town Engineer, Town Building/Fire Inspector, Town Environmental Advisory Board, Dutchess County Department of Planning & Development and the Rombout Fire District.

#### NEW SUBMITTALS: (continued)

2. Sun Canyon Family Restaurant - Amended Site Development Plan - Applicant seeks approval to amend the existing Site Development Plan approval to alter the existing building façade. The parcels for this proposal are located at 10 Old Route 9 (formerly known as Sharkey's), in the GB (General Business) Zoning District and consists of 1.88 acres. Refer application to the Town Engineer, Town Director of Municipal Development, Town Planning Consultant, Dutchess County Department of Planning and Development and the Rombout Fire District.

#### PUBLIC HEARINGS:

1. At 7:30 p.m. or as soon thereafter as possible - Elmcrest - Amended Site Development Plan - Applicant seeks approval to amend the existing Site Development Plan approval for the construction of a 14' x 20' gazebo to an existing landscaped island. The parcel for this proposal is located at Elmcrest Drive/Route 82, in the RMF-5 Zoning District and consists of 16.225 acres.

2. At 7:30 p.m. or as soon thereafter as possible - The Crest @ Fishkill - Subdivision & Site Development Plan (formerly known as Kushner Residential Development) - Applicant seeks approval to:

- a. Modify the lot lines between two existing parcels totaling 32.15 acres, located at 743 and 769 NYS Route 52. The two parcels to be created will be Lot 1, which will consist of 26.6 acres, and Lot 2, which will consist of 5.3 acres.
- b. Obtain Preliminary Site Development Plan Approval for the construction of 106 multi-family dwelling units (212 density units) on the proposed Lot 1, to be known as The Crest at Fishkill. Lot 2 will remain vacant, although it potentially could support 50,000 square feet of retail development.
- c. Obtain a permit for disturbance of a wetland or wetland buffer in the course of the development of the project to be constructed on Lot 1.

The involved parcels are the subject of a Rezoning Application by the Town of Fishkill Town Board. This is a continuation of the public hearing that was opened and adjourned by the Planning Board on October 28, 2004.

3. At 7:30 p.m. or as soon thereafter as possible - Splashdown Park - Amended Special Use Permit - Applicant seeks to amend the existing Special Use Permit Approval to revise the parking and to remove and replace attractions at the site. The parcels for this proposal are located at 16 Old Route 9 West, in the R-40 Zoning District and consist of 35.48 acres. This is a continuation of the public hearing that was opened and adjourned by the Planning Board on November 18, 2004.

4. At 7:35 p.m. or as soon thereafter as possible - Splashdown Park - Site Development Plan - Applicant seeks Preliminary Site Development Plan Approval to revise the parking

and to remove and replace attractions at the site. The parcels for this proposal are located at 16 Old Route 9 West, in the R-40 (General Business) Zoning District and consist of 35.48 acres. The involved parcels are the subject of a Rezoning Application by the Town of Fishkill Town Board.

#### PUBLIC HEARINGS: (continued)

5. At 7:30 p.m. or as soon thereafter as possible - Aveonis Townhouses - Site Development Plan Applicant seeks Site Development Plan Approval to construct a 54-unit townhouse development comprised of 24 two-bedroom units and 30 one-bedroom units, 25% of the total units are proposed to be affordable. The parcel for this proposal is located on the south side of NYS Route 52, approximately 500' west of Cedar Hill Road in the GB (General Business) Zoning District and consists of 5.2 acres. The involved parcel is the subject of a Rezoning Application under consideration by the Town of Fishkill Town Board. This is a continuation of the public hearing that was opened and adjourned by the Planning Board on December 9, 2004.

#### REVIEWS:

1. Lilac Corporation - continuation of project review and Board to declare itself the Lead Agency for this project.
2. Toll Brothers, Inc. - Subdivision of Lot 1A & Subdivision of Other Lands Owned by Merritt Parkwood, LLC - continuation of project review.
3. Home Depot - Amended Site Development Plan - continuation of project review and Board to declare itself the Lead Agency for this project.
4. Splash Down Park - Site Development Plan - Board to review Resolution of Preliminary Approval.
5. Aveonis Townhouses - Site Development Plan - continuation of project review.
6. I-84 Hotel - Special Use Permit - project review.
7. Foam & Wash Car Wash - Amended Site Development Plan - project review.
8. Town Board Referral - Rezoning Application for Chelsea Waterfront Development - Board to review and discuss Notice of Intent to Serve as Lead Agency.
9. ZBA Referral - Application No. ZB04-001 - Lori Joseph Builders - Meadow Lane - R-20 Zoning District - Applicant is requesting the following: (1) front yard setback of 30' where 35' is the minimum; (2) rear yard setback of 30' where 40' is the minimum; (3) right yard setback of 15' where 20' is the minimum; (4) lot size variance of 11,230 SF where 20,000 SF is the minimum; and (5) lot depth of 100' where 125' is the minimum required in an R-20 Zoning District.
10. Motion to approve the December 9, 2004 Planning Board minutes.